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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/813,674

03/31/2004

Kuan Ta Chiun

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04/10/2006

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EXAMINER

HSIEH, SHIH WEN

ART UNIT

PAPER NUMBER

2861

DATE MAILED: 04/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/813,674

Applicant(s)

CHIUN, KUAN TA

Examiner

Shih-wen Hsieh

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-10 and 13-16 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 11 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

2. Claims 1 and 8 are objected to because of the following informalities:

In regard to:

Claim 1:

Line 11, please change "the cleanser" into "a cleanser" to correct a minor lack of antecedent basis problem.

Claim 8:

Line 10, please change the "." Into a ":", because the recitation of this claim has not terminated yet.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 and 5-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Childers et al. (US Pat. No. 6,375,301 b1).

In regard to:

Claim 1:

Childers et al. teach:

An ink cleaning device is applied to an inkjet printer; the ink cleaning device comprising:

a cartridge stand (5, fig. 1) bearing an ink cartridge (6, fig. 1 and 24, fig. 2), wherein the cartridge stand comprising a printing head (30, fig. 2), refer to col. 2, lines 54-60, and col. 3, lines 32-41;

a driving mechanism (not shown in drawings) driving the cartridge stand to move through a predetermined direction, refer to col. 2, lines 54-60; and

a printing control device (40, fig. 3) electronically connected to the cartridge stand for controlling the inkjet action of the printing head; and electronically connected to the driving mechanism for controlling the movement of the cartridge stand, refer to col. 3, lines 42-44;

wherein the ink cleaning device comprising a cleaning cartridge (14, fig. 2), which accommodate the cleanser (15, fig. 2); the printing control device producing a signal when the cleaning cartridge is replaced the ink cartridge to be put in the cartridge stand,

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the inkjet printer will processing an ink cleaning action according to the signal, refer to col. 3, lines 47-60, and col. 4, lines 22-25, and col. 5, lines 47-57.

Claim 5:

Childers et al. further teach:

wherein the cleaning cartridge comprising an opening (16, fig. 2) for injecting the cleanse, refer to col. 3, lines 14-17.

Claim 6:

Childers et al. further teach:

wherein the printing control device send the signal to an external device (10, fig. 3) when the cleaning cartridge is replaced the ink cartridge to be put in the cartridge stand, the external device control the inkjet printer to process an ink cleaning action according to the signal, refer to col. 3, lines 47-60 and col. 5, lines 47-57.

Claim 7:

Childers et al. further teach:

Wherein the external device is a computer, refer to fig. 3, the portion under the dashed line.

5. Claims 8-10 and 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Shibata (US Pat. No. 5,754,197).

In regard to:

Claim 8:

Shibata teaches:

An ink cleaning device is used in an inkjet printer; said ink cleaning device comprising:

a cartridge stand (46, fig. 2) carried an ink cartridge (40 or 42, fig. 2) and a cleaning cartridge (15, fig. 2), wherein the cartridge stand comprising a printing head (45, fig. 2) and a control valve (108, fig. 2, and col. 3, lines 62-65); refer to col. 3, lines 5-65;

a driving mechanism (a motor, not shown) driving the cartridge stand to move through a predetermined direction, refer to col. 3, lines 20-22; and

a printing control device (controller, col. 3, lines 20-28) electronically connected to the cartridge stand for controlling the inkjet action of the printing head; and electronically connected to the driving mechanism for controlling the movement of the cartridge stand; and further electronically connected to the control valve (col. 3, line 62 to col. 4, line 10, and col. 4, lines 45-51) for controlling the flow rate of the cleanser;

wherein the printing control device drive the control valve to start the inkjet printer to process an ink cleaning action when the printing control device accept a signal, refer to col. 4, lines 45-51.

Claim 9:

Shibata further teaches:

wherein the cleaning cartridge comprising an opening (110, fig. 1) for injecting the cleanser (105, fig. 1 in the form of 111, fig. 1).

Claim 10:

Shibata further teaches:

wherein the cleaning cartridge is fixed in the cartridge stand, refer to fig. 2, where the cleaner cartridge (15) is fixed in carriage (46).

Claim 13:

Shibata further teaches:

wherein the signal is produced by an external device, refer to col. 3, lines 20-39.

Claim 14:

Shibata further teaches:

wherein the external device is a compute, refer to col. 3, lines 20-39.

Claim 15:

Shibata further teaches:

wherein the external device is a button, which produce a signal when the button is pressed, refer to col. 3, lines 20-39.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Childers et al.

Childers et al. teach the flushing fluid (col. 3, lines 14-15) without further teaching the kind of flushing fluid, therefore:

the device of Childers et al. DIFFERS from claim 4 in that it does not teach:

wherein the cleanser is selected from acetone, alcohol, tetra-chloromethane, and a combination thereof.

Therefore it would have been obvious to a person having ordinary skill in the art at the time the invention was made to select a known flushing fluid as available on the market such as those recited in this claim, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use, refer to MPEP 2144.07

8. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shibata.

An ink cleaning device according to claim 8 wherein the cleanser is selected from acetone, alcohol, tetra-chloromethane, and a combination thereof.

Rejection:

This claim is rejected on the basis as set forth for claim 4 discussed above.

Allowable Subject Matter

9. Claims 2, 3, 11 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter:

The primary reason for the allowance of claims 2 and 11 (claims 3 and 12 depends on claims 2 and 11 respectively) is the inclusion of the limitations of wherein the cartridge stand comprising a detecting device, which produce a signal when the cleaning cartridge is replaced the ink cartridge to be put in the cartridge stand; the inkjet printer will processing an ink cleaning action according to the signal. It is these limitations found in each of the claims, as they are claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes these claims allowable over the prior art.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shih-wen Hsieh whose telephone number is 571-272-2256. The examiner can normally be reached on 7:30AM -5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, S D. Meier can be reached on 571-272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

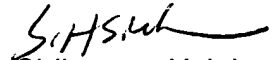
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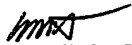
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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). **SHIH-WEN HSIEH**
PRIMARY EXAMINER


Shih-wen Hsieh
Primary Examiner
Art Unit 2861

SWH



April 6, 2006